

Application No. 10/761,581
1.131 Declaration



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/761,581
Applicants : Daniel P. Fiden et al.

Filed : January 21, 2004
Title : Gaming Terminal Having An Element Moveable Along A
Nonlinear Path For Indicating A Game Outcome

TC/A.U. : 3709
Examiner : Huffman, Brian George

Docket No. : 247079-00245USPT
Customer No. :

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 17, 2006.

Signature: _____
Christine Piszski

37 C.F.R. § 1.131 DECLARATION

Dear Sir:

We, Daniel P. Fiden and Lisa M. Helfer, named co-inventors of pending U.S. Patent Application No. 10/761,581, entitled "Gaming Terminal Having An Element Moveable Along A Nonlinear Path For Indicating A Game Outcome" hereby declare:

1. We are co-inventors named on the United States Patent Application No. 10/761,581 ("the '581 application").
2. The '581 application generally pertains to a gaming machine having a physical element moveable along a nonlinear path to indicate a game outcome. We invented the subject matter of the claims of the '581 application prior to the filing date of U.S. Patent Application Publication No. US 2005/0101371 (Seelig et al. '371), which is September 15, 2003.

3. As detailed below, the subject matter of the '581 application was conceived prior to September 15, 2003, the filing date of Seelig et al. '371.

4. Exhibit A is a true printout of a PowerPoint presentation that we prepared for a presentation internally within WMS Gaming Inc. prior to September 15, 2003. Exhibit A shows drawings and descriptions of the embodiments of the claimed invention. For example the third and fourth pages of Exhibit A show concepts described in Figures 3 and 4 of the present application.

5. In view of Exhibit A, the subject matter of the '581 application was conceived prior to September 15, 2003, the filing date of Seelig et al. '371. Additionally, from prior to September 15, 2003 to at least until January 21, 2004, the filing date of the '581 application, we also continued to diligently investigate and refine the technology that is the subject matter of the '581 application.

6. In addition to our work on the technology, from prior to September 15, 2003 to January 21, 2004, we continued to diligently work with Patent Counsel on developing the patent application that resulted in the '581 application.

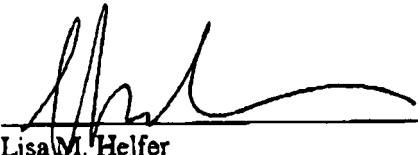
7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the '581 application or any patent issued thereon.

Dated:

5/15/07

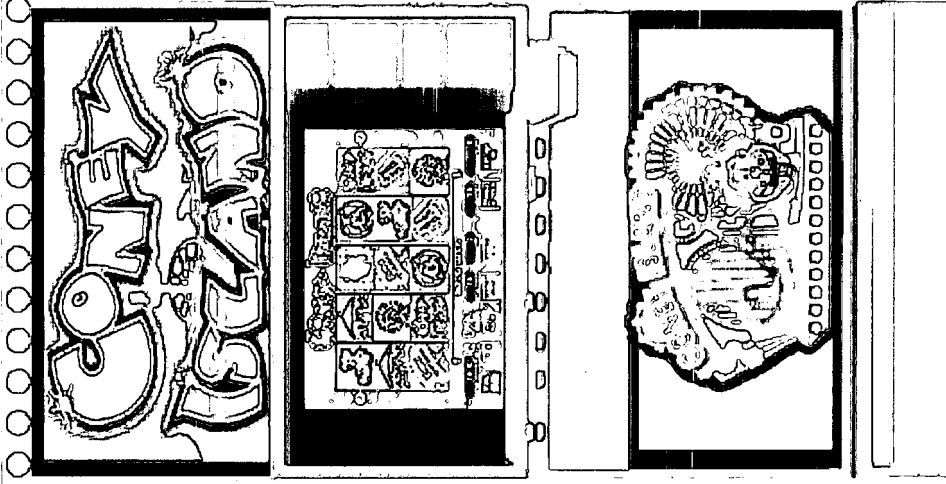
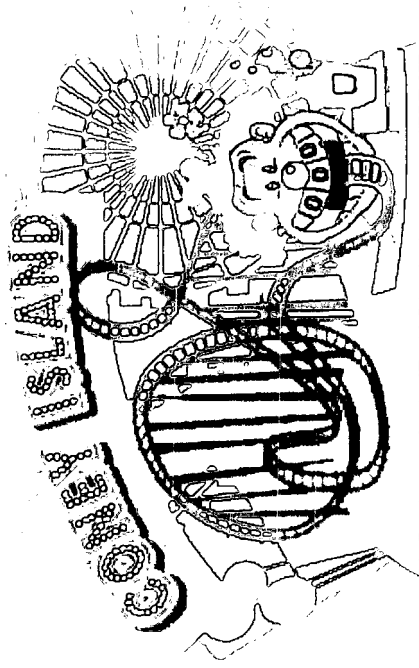

Daniel P. Fiden

Dated: April 11 2007



Lisa M. Helfer

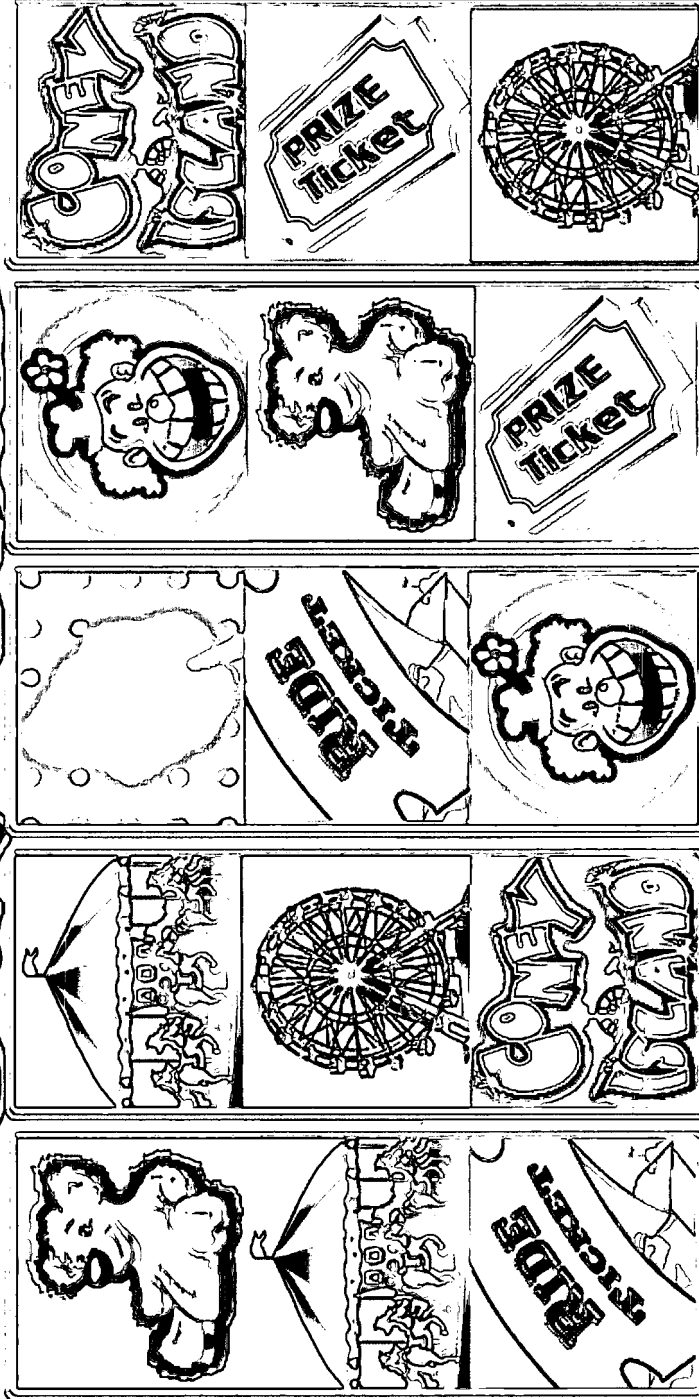
"Coney Island"



This is the cabinet for Coney
Island.

"Coney Island"

CONEY ISLAND



GOOD LUCK

1500 CREDITS

MAIN MENU

HELP

PAY TABLE

SELECT LINES

BET PER LINE

SPIN REELS

MAX BET SPIN

15 LINES

15 TOTAL BET

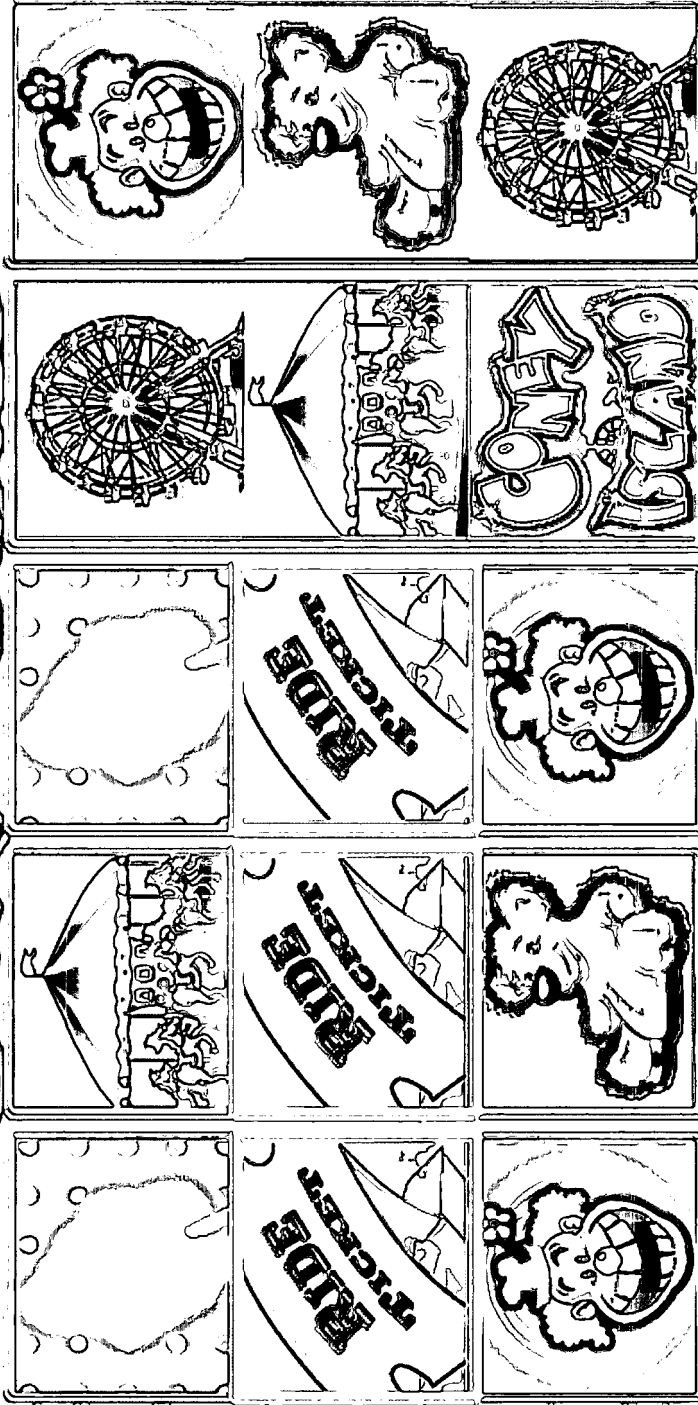
1 BET

0 PAID

These are the reel symbols. The Coney Island logo symbol is wild.

"Coney Island"

CONEY ISLAND



Time to ride the Rollercoaster!

1500 CREDITS

MAIN MENU

HELP

PAY TABLE

SELECT LINES

15 LINES

BET PER LINE

1 BET

TOTAL BET

15

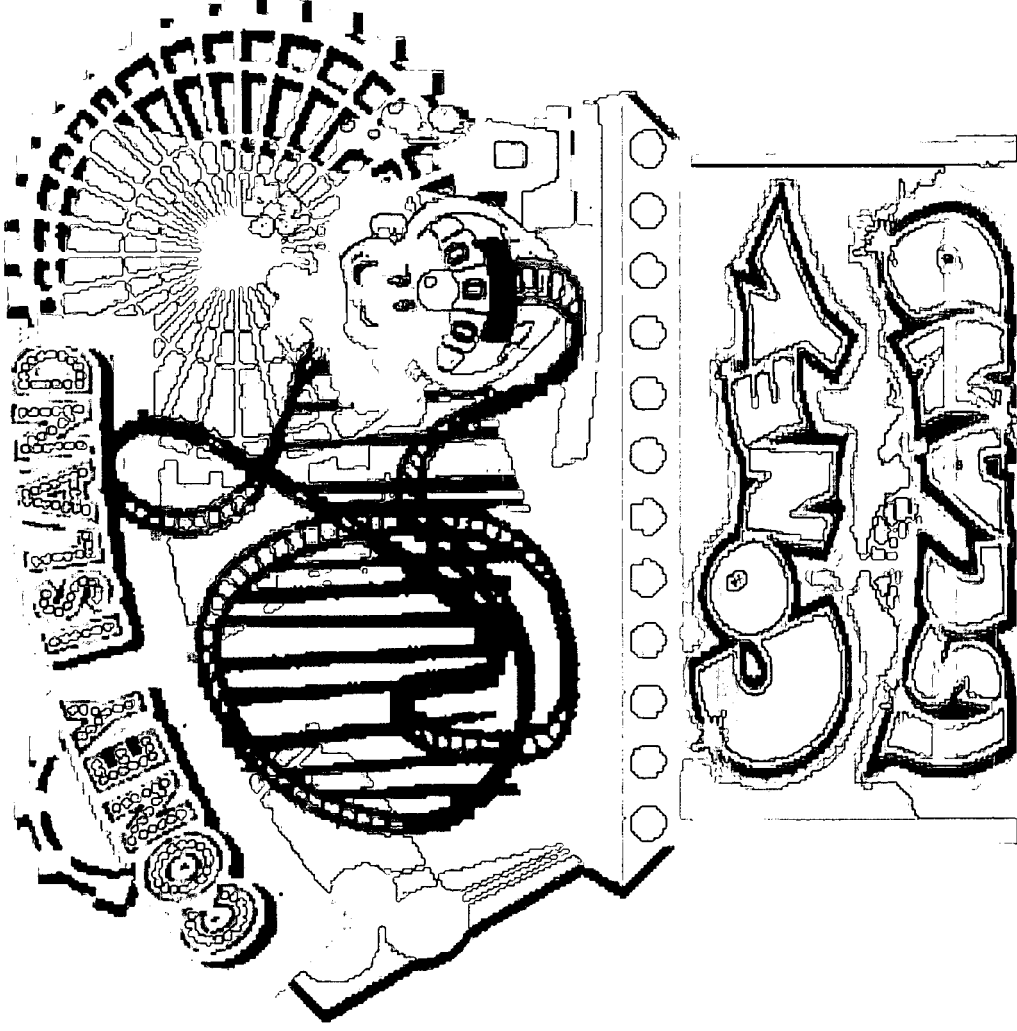
0 PAID

MAX BET SPIN

SPIN REELS

3 or more Ride Ticket symbols on a payline triggers the top box Rollercoaster bonus.

"Coney Island"



The Rollercoaster ride begins. The more times the Rollercoaster goes around, the higher your credit award. You are awarded the value shown when the Rollercoaster comes to a stop.